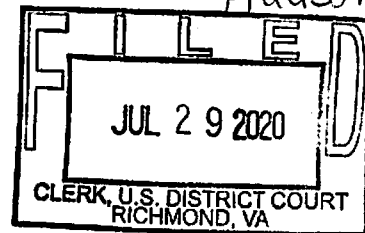


Hudson ✓



IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

COMPLAINT UNDER CIVIL RIGHTS ACT 42 U.S.C. § 1983

Action Number 3:20cv 581
(To be supplied by the Clerk, U.S. District Court)

Please fill out this complaint form completely. The Court needs the information requested in order to assure that your complaint is processed as quickly as possible and that all your claims are addressed. Please print/write legibly or type.

I. PARTIES

A. Plaintiff:

1. (a) RICKY RAKES (Name) (b) 1416535 (Inmate number)
- (c) Halifax correction unit #23 (Address)
- P.O. Box 1789 Halifax VA. 24558

Plaintiff MUST keep the Clerk of Court notified of any change of address due to transfer or release. If plaintiff fails to keep the Clerk informed of such changes, this action may be dismissed.

Plaintiff is advised that only persons acting under the color of state law are proper defendants under Section 1983. The Commonwealth of Virginia is immune under the Eleventh Amendment. Private parties such as attorneys and other inmates may not be sued under Section 1983. In addition, liability under Section 1983 requires personal action by the defendant that caused you harm. Normally, the Director of the Department of Corrections, wardens, and sheriffs are not liable under Section 1983 when a claim against them rests solely on the fact that they supervise persons who may have violated your rights. In addition, prisons, jails, and departments within an institution are not persons under Section 1983.

B. Defendant(s):

1. (a) MS. Goode (Name) (b) superintendent (Title/Job Description)
- (c) P.O. Box 1789 (Address)
- Halifax VA. 24558

2. (a) LT. STANLY (Name) (b) LUTENANT (Title/Job Description)
 (c) P.O. Box 1789 (Address)
Halifax VA. 24558
3. (a) R. Gallimore (Name) (b) LUTENANT (Title/Job Description)
 (c) P.O. Box 1789 (Address)
Halifax VA. 24558

If there are additional defendants, please list them on a separate sheet of paper. Provide all identifying information for each defendant named.

Plaintiff MUST provide a physical address for defendant(s) in order for the Court to serve the complaint. If plaintiff does not provide a physical address for a defendant, that person may be dismissed as a party to this action.

II. PREVIOUS LAWSUITS

- A. Have you ever begun other lawsuits in any state or federal court relating to your imprisonment? Yes [] No [☒]
- B. If your answer to "A" is Yes: You must describe any lawsuit, whether currently pending or closed, in the space below. If there is more than one lawsuit, you must describe each lawsuit on another sheet of paper, using the same outline, and attach hereto.

1. Parties to previous lawsuit:

Plaintiff(s) NA

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county):

N/A

3. Date lawsuit filed: NA

4. Docket number: N/A

5. Name of Judge to whom case was assigned: N/A

6. Disposition (Was case dismissed? Appealed? Is it still pending? What relief was granted, if any?): N/A

III. GRIEVANCE PROCEDURE

A. At what institution did the events concerning your current complaint take place: _____

Halifax correction unit #23

B. Does the institution listed in "A" have a grievance procedure? Yes [☒] No [☐]

C. If your answer to "B" is Yes:

1. Did you file a grievance based on this complaint? Yes [☒] No [☐]

2. If so, where and when: 7/6/20 Halifax unit #23

3. What was the result? said I requested services

4. Did you appeal? Yes [☒] No [☐]

5. Result of appeal: SAME

D. If there was no prison grievance procedure in the institution, did you complain to the prison authorities? Yes [☐] No [☐]

If your answer is Yes, what steps did you take? _____

E. If your answer is No, explain why you did not submit your complaint to the prison authorities: _____

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

ON March 17th 2020 my mental Health status changed I suffer from Schitzo-EFFECTIVE Disorder, STAFF under the Direction of LT. Gallimore and LT. Stanley and Superintendent Goode Harass and TARGET me making me act out and then write me charges I was NOT even TRANSFERRED to a place where I CAN get medication and am being Refused medication and a TRANSFER. This Has been continuous since I got here on 12-10-19, I Have Received Numerous charges and will Lose Good Time all because I am mentally ill and Have no self-control.

ON 6-30-20 LT. Stanley, Balled myself and 2 other inmates (AFFIDAVIT ATTACHED) TO THE GATE AND TOLD THE other INMATES THAT I am his only concern on the entire compound and they should STAY AWAY FROM me. He then wrote a charge for possession of Tobacco on 2 of us when NOONE even SEARCHED US so NOTHING WAS Found. we were still Found Guilty, ON 7-14-20 I ASKED LT. Gallimore if he could INTERSEDE because I did NOT WANT TO be in a room with LT. Stanley because I do NOT have medication and CAN'T CONTROL MYSELF

C.

STATEMENT of claim
Continued

He Told me he would help me. He did not
instead he wrote me A charge For Threatening
bodily harm.

This is ongoing and will not stop
unless someone helps me
when inmates at Halifax File Grievances
they are NOT heard and we CANNOT get
any Relief

I do NOT Have Access To The Law
Library so I Do NOT know what Violation
of The Constitution Halifax committed but
I know they are wrong



V. RELIEF

I understand that in a Section 1983 action the Court cannot change my sentence, release me from custody or restore good time. I understand I should file a petition for a writ of habeas corpus if I desire this type of relief. gh (please initial)

The plaintiff wants the Court to: (check those remedies you seek)

- ☒ Award money damages in the amount of \$ 2,000,000
- ☒ Grant injunctive relief by TRANSFERRING ME TO A Level 2
- ☒ Other IMMEDIATELY Dismiss The infractions That were Given To me

VI. PLACES OF INCARCERATION

Please list the institutions at which you were incarcerated during the last six months. If you were transferred during this period, list the date(s) of transfer. Provide an address for each institution.

Halifax Correctional Unit #23
P.O. Box 1789
Halifax VA. 24558

VII. CONSENT

CONSENT TO TRIAL BY A MAGISTRATE JUDGE: The parties are advised of their right, pursuant to 28 U.S.C. § 636(c), to have a U.S. Magistrate Judge preside over a trial, with appeal to the U.S. Court of Appeals for the Fourth Circuit.

Do you consent to proceed before a U.S. Magistrate Judge: Yes ☒ No ☐. You may consent at any time; however, an early consent is encouraged.

VIII. SIGNATURE

If there is more than one plaintiff, each plaintiff must sign for himself or herself.

Signed this 31st day of July, 2020.

Plaintiff [Signature]